IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 2ND JANUARY 2007 / 12TH POUSHA 1928

Bail Appl..No. 7745 of 2006()

CRMP.1542/2006 of D.C. & SESSIONS COURT, ERNAKULAM
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PETITIONER/ACCUSED NO.1:

SHAJI, S/O. SATHYAVRUTHAN,
THATTARUPARAMBU HOUSE, MOOTHAKUNNAM P.O.,ERNAKULAM

BY ADV. SRI.K.R.VINOD

RESPONDENTS:

STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,HIGH COURT OF KERALA

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application NO. 7745 OF 2006

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DATED: 02-01-2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the first accused in Crime No. 204/06 of Ernakulam Town South Police Station for offences punishable under Secs..406 and 420 I.P.C., seeks his enlargement on bail. Petitioner was arrested on 3-12-2006 in connection with Crime No. 38/96 of Harbour Police Station for a similar offence. His arrest in this case was formally recorded on 7-12-2006.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor. The learned Public Prosecutor opposed the application submitting inter alia that the allegation against the petitioner is that himself and his wife induced the de facto complainant to part with a sum of Rs. 1,50,000/- promising overseas employment.

3. Having regard to the fact that the petitioner was in custody from 3-12-2006 and and his police custody was also given for five days, I am inclined to grant bail to the petitioner, however, on conditions safeguarding the interest of the prosecution. . Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs. 25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like amount to the satisfaction of the Addl. Chief Judicial Magistrate, Ernakulam, and subject to the following conditions:-

1. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

3.. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

Sd/- **V.RAMKUMAR, JUDGE.**

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